

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

KADOR & PARTNER
Corneliusstrasse 15
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ALLEMAGNE

EINGEGANGEN

17. Sep. 2004

CT: 12. Nov. 04

KADOR & PARTNER

INVITATION TO CORRECT DEFECTS IN
THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 26)

Date of mailing
(day/month/year)

13. 09. 2004

Applicant's or agent's file reference

K 50 456/1sc

REPLY DUE

within two months
from the above date of mailing

International application No.

PCT/EP2004/009491

International filing date

(day/month/year) 25/08/2004

Applicant

BOREALIS TECHNOLOGY OY

1. ☒ The applicant is hereby invited, within the time limit indicated above, to correct, in the international application as filed, the defects specified on the attached

☒ Annex A☐ Annex B1 (text matter of the international application as filed)☐ Annex C1 (drawings of the international application as filed)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS ?

Correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this invitation and any attachments has been sent to the International Bureau



and the International Searching Authority.

Name and mailing address of the Receiving Office



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040
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Authorized officer

O. Durand

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ANNEX A TO FORM PCT/RO/106

International application No.

PCT/EP2004/009491

The receiving Office has found the following defects in the international application as filed:

1. As to signature of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request :

- a. ☐ is not signed* by the applicant or, if there is more than one applicant, by at least one of them
- b. ☐ is not accompanied by the statement referred to in the check list in Box No. IX of the request explaining the lack of the signature of an applicant for the designation of the United States of America
- c. ☐ is signed by what appears to be an agent/common representative but:
☐ the international application is not accompanied by a power of attorney appointing him
☐ the power of attorney accompanying the international application is not signed by all the applicants
- d. ☐ other (specify) :

* Although Rule 4.15 requires that all applicants must sign the request (e.g. including all inventors/applicants for the designation of the United States of America), for the purposes of Article 14(1)(a)(i), if there is more than one applicant, it shall be sufficient that the request be signed by one of them (Rule 26.2bis(a)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51bis.1(a)(vi)).

2. As to indications concerning the applicant* who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):

- a. ☐ does not properly indicate the applicant's name (specify) :
- b. ☐ does not indicate the applicant's address
- c. ☐ does not properly indicate the applicant's address (specify) :
- d. ☐ does not indicate the applicant's nationality
- e. ☐ does not indicate the applicant's residence

☐ Further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51bis.1(a)(vii)).

3. As to the language of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):

- a. ☐ the request is not in a language of publication accepted by this receiving Office, the languages accepted by this receiving Office are: ENGLISH, FRENCH or GERMAN
- b. ☐ the text matter of the drawings is not in the language in which the international application is to be published, which is: ENGLISH.
- c. ☐ the abstract is not in the language in which the international application is to be published, which is: ENGLISH.

4. The title of the invention :

- a. ☐ is not indicated in Box No.1 of the request (Rule 4.1(a)).
- b. ☐ is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
- c. ☒ as appearing in Box No.1 of the request is not identical with the title heading the description (Rule 5.1(a)).

5. As to the abstract (Rules 8 and 26.1(b)):

- ☐ the international application does not contain an abstract.

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